

Attorney Docket No. 432 P 159

3728  
93/DFW  
PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Re Application of:  
Maurice J. Pigott et al.

Application No.: 10/034,408  
Confirmation No.: 1199  
Filed On: December 27, 2001

Examiner: Juong, Shian Tinh Nhan  
Art Unit: 3728

For: PALLETIZED TRAY SYSTEM

Mail Stop Issue Fee  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT  
PURSUANT TO 37 C.F.R. §§ 1.97 AND 1.98**

Dear Sir:

Applicants submit herewith Form PTO-1449, "Information Disclosure Statement," and a copy of each reference listed therein.

Since this Statement is being filed after a Notice of Allowance, but before the payment of the Issue Fee and with Both a Certificate Pursuant to 37 C.F.R. §1.97(e) and a Petition requesting consideration of this Information Disclosure Statement, our Check in the amount of \$180 per 37 C.F.R. §1.17(p) is enclosed.

Applicants are submitting this art because Applicants recognize their duty to disclose pursuant to 37 C.F.R. §1.56. However, submission of this art and Statement is not an admission that any item identified contains matter anticipating the invention or rendering the invention obvious to a person of ordinary skill in the art. Further, Applicants believe none of the art submitted herewith, alone or in proper combination, discloses, teaches or suggests the invention claimed by Applicants.

The citation of a reference is also without admission that the reference is sufficient to teach one of ordinary skill in the art how to make or use the subject matter thereof or the reference is, or is considered to be, material to the patentability as defined in 37 C.F.R. §1.56(b).

Moreover, submission of these patents is without admission that any of the patents constitutes statutory prior art or has an effective date prior to Applicants' effective date of invention.

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Applicants specifically reserve all rights of privilege and confidence with respect to this matter. A submission of this document is not to be construed as a waiver of those rights. In addition, the filing of this Statement is not to be construed as a representation a search had been made by Applicants or counsel.

Under 37 C.F.R. §1.98(a)(3)(i), Applicants explain the relevance of the non-English references as follows: They were cited in a "Partial European Search Report" dated 7 September 2004, and transmitted to counsel in a Communication dated 30 September 2004 (both attached). The references were identified in the report as either "X" (particularly relevant if taken alone) or "Y" (particularly relevant if combined with another document of the same category). Additional comments regarding the EPO's position regarding relevancy are within the attached Report. Applicants do not have translations of these non-English documents.

CERTIFICATION PURSUANT TO 37 C.F.R. §1.97(E)

The undersigned attorney states each item of information contained in this Information Disclosure Statement was cited in a Communication from a foreign Patent Office, namely the European Patent Office, in a counterpart foreign patent application, namely European Patent Application No. 02080559.4, mailed from the Office on September 30, 2004, which is not more than three (3) months prior to the filing of this Information Disclosure Statement. This EPO Search Report is attached.

Please charge any additional fees associated with this Communication or credit any overpayment to our Deposit Account No. 23-0280. A duplicate copy of this paper is enclosed for that purpose.

Respectfully submitted,

Dated: November 29, 2004

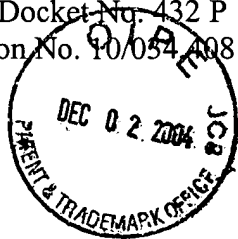
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**CERTIFICATE OF MAILING (37 C.F.R. § 1.8a)**

I hereby certify that this correspondence is, on the date shown below, being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Issue Fee, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on November 29, 2004.

*Natalie L. Kurowski*

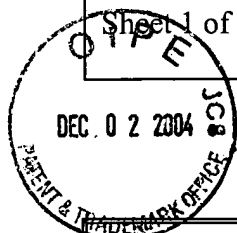
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Natalie L. Kurowski/213453.1

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**  
PTO-1449

Application No.: 10/034,408  
Filing Date: December 27, 2001  
First Named Inventor: Maurice J. Pigott et al.  
Art Unit: 3728  
Examiner Name: Juong, Shian Tinh Nhan  
Attorney Docket Number: 432 P 159

Sheet 1 of 1



**U.S. PATENT DOCUMENTS**

Examiner Initial	Document No. Kind Code (if known)	Name of Patentee or Applicant	Publication Date (MM-DD-YYYY)
	US 5,409,110	Patent	04-25-1995
	US 5,415,289	Kim	05-16-1995
	US 5,725,118	Slager et al.	03-10-1998

**FOREIGN PATENT DOCUMENTS**

Examiner Initial	Foreign Patent Document			Name of Patentee or Applicant	Date of Publication	T
	Office	Number	Kind			
	FR	1.167.061		Fromageries X. & R. Rentz	11-20-1958	N
	FR	2 371 349		Fiskladan Packing AB	06-16-1978	N
	DE	38 19 624	A1	Robert Bosch GmbH	02-08-1990	N
	EP	0 436 783	A1	Stucki Kunststoffwerk und Werkzeugbau GmbH	07-17-1991	N

**OTHER PRIOR ART OR NON-PATENT LITERATURE DOCUMENTS**

Examiner Initial	(including Author (in capital letters), Title of the article, Title of the item, Date, Pages, Volume-Issue number, Publisher, City and/or Country where published.)	T
	Communication from the European Patent Office, transmitting a Partial European Search Report, mailed September 30, 2004, for European Patent Application No. 02080559.4	Y

Examiner Signature: \_\_\_\_\_

Date Considered: \_\_\_\_\_

Examiner: Initial if citation considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.